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DAVID N. ERIKSEN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVID N. ERIKSEN,
Plaintiff,

v.

UNITED STATES OF AMERICA,
Defendant.

) CIVIL NO. C-07-05005-JCS
)
) SUPPLEMENTAL JOINT CASE
) MANAGEMENT CONFERENCE
) STATEMENT
)
) Date: May 9, 2008
) Time: 1:30 p.m.
) Courtroom: Magistrate Judge Spero
)

1 Counsel for the parties have conferred and make the following updated joint case
2 management conference statement:

3 A settlement conference was conducted by Magistrate Judge James on April 29,
4 2008. A settlement was not achieved at that time. A further settlement conference has
5 been scheduled by Magistrate Judge James for July 28, 2008.

6 The United States responded to Mr. Eriksen's interrogatories and requests for
7 production of documents on April 28, 2008. A vessel inspection of the M/V ADMIRAL
8 W.M. CALLAGHAN and the deposition of Bosun Kenneth Herzstein also took place that
9 day.

10 The parties intend to conduct additional discovery in advance of the second
11 settlement conference to include the depositions of plaintiff's co-workers and his treating
12 physicians. The United States may choose to conduct an independent medical evaluation
13 of plaintiff thereafter, depending on the testimony of plaintiff's doctor(s). Plaintiff has
14 also agreed to produce a copy of his medical expert report.

15 The parties suggest that the Court either schedule a further case management
16 conference at some time after Magistrate Judge James's further settlement conference has

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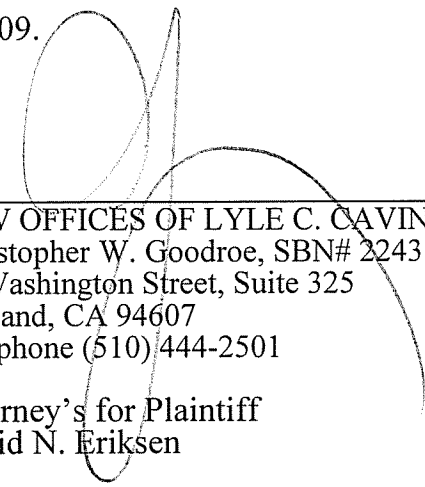
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1 been conducted on July 28, 2008, or, in the alternative, set scheduling dates to coincide
2 with a bench trial to be conducted in the spring of 2009.

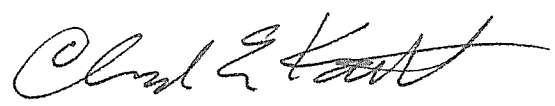
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4 Dated: 5/1/08


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9
10 Dated: 5/1/08

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